

UNITED STATES DISTRICT COURT

for the
District of Arizona

10-27-17
DCA
United States of America
v.
Esteban Rodriguez-Blancas,
a.k.a.: Esteban Rodriguez Blancas,
(A095 769 661)
Defendant

)
)
) Case No. 17 - 94 85 MJ
)
)
)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of October 27, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), a felony, and Title 8, U.S.C. § 1325(a)(2) a class B misdemeanor, an offense described as follows:

See Attachment A Incorporated By Reference Herein

I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated By Reference Herein

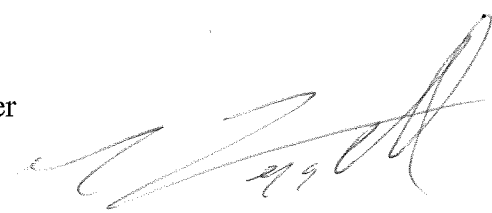
REVIEWED BY: ^{CEB} Charles E. Bailey, P.S. for AUSA Margaret Perlmeter


☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: October 30, 2017

City and state: Phoenix, Arizona


Complainant's signature
Marcus D. Leggett,
Deportation Officer
Printed name and title


Judge's signature

Eileen S. Willett,
United States Magistrate Judge
Printed name and title

ATTACHMENT A

Count 1

On October 27, 2017, Esteban Rodriguez-Blancas, an alien, was found in the United States of America at or near Scottsdale, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Nogales, Arizona, on or about March 8, 2012, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), a felony.

Count 2

On October 27, 2017, at or near Scottsdale, in the District of Arizona, Esteban Rodriguez-Blancas, an alien, did elude the examination or inspection by immigration officers in violation of Title 8, United States Code, Section 1325(a)(2), a class B misdemeanor.

STATEMENT OF PROBABLE CAUSE

I, Marcus D. Leggett, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On October 27, 2017, the Scottsdale Police Department (SPD) encountered Esteban Rodriguez-Blancas at a traffic stop in Scottsdale, Arizona. SPD personnel suspected Rodriguez-Blancas to be illegally present in the United States and contacted the Phoenix ICE Law Enforcement Agency Response Unit for assistance. ICE Officer T. Miller telephonically interviewed Rodriguez-Blancas and determined him to be a citizen of Mexico, illegally present in the United States. On the same date, an immigration detainer was lodged with the Scottsdale City Jail (SCJ). On October 27, 2017, Rodriguez-Blancas was released from the SCJ and transported to the Phoenix ICE office for further investigation and processing. Rodriguez-Blancas was held in administrative custody until his criminal and records could be obtained and his identity confirmed.
3. Immigration history checks revealed Esteban Rodriguez-Blancas to be a citizen of Mexico and a previously deported criminal alien. Rodriguez-Blancas was removed from the United States to Mexico through Nogales, Arizona, on or about March 8, 2012, pursuant to the reinstatement of an order of removal issued by an immigration

official. There is no record of Rodriguez-Blancas in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Rodriguez-Blancas' immigration history was matched to him by electronic fingerprint comparison.

4. Furthermore, there is no record of Esteban Rodriguez-Blancas in any Department of Homeland Security database to suggest that after his last removal from the United States he entered into the United States at an official Port of Entry. Had Rodriguez-Blancas presented himself at a Port of Entry, Department of Homeland Security records likely would reveal that information. Accordingly, your affiant believes that Rodriguez-Blancas entered the United States at a location not designated as an official Port of Entry, and thereby eluded examination and inspection by Immigration Officers of the United States. Rodriguez-Blancas' immigration history was matched to him by electronic fingerprint comparison.
5. On October 27, 2017, Esteban Rodriguez-Blancas was advised of his constitutional rights. Rodriguez-Blancas freely and willingly acknowledged his rights and declined to make any further statements.
6. For these reasons, this affiant submits that there is probable cause to believe that on or about October 27, 2017, Esteban Rodriguez-Blancas, an alien, was found in the United States of America at or near Scottsdale, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Nogales, Arizona, on or about March 8, 2012, and not having obtained the

express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a) and on October 27, 2017, at or near Scottsdale, in the District of Arizona, Esteban Rodriguez-Blancas, an alien, did elude the examination or inspection by immigration officers in violation of Title 8, United States Code, Section 1325(a)(2).



Marcus D. Leggett,
Deportation Officer,
Immigration and Customs Enforcement

Sworn to and subscribed before me
this 30th day of October 2017.



Eileen S. Willett,
United States Magistrate Judge